

## ARTICLE 33-11

### LICENSING OF EMERGENCY MEDICAL SERVICES

#### Chapter

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#### CHAPTER 33-11-01

### NORTH DAKOTA GROUND AMBULANCE SERVICES

#### Section

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**33-11-01-01. Definitions.** Words defined in North Dakota Century Code chapter 23-27 shall have the same meaning in this chapter.

1. "Advanced first aid ambulance attendant" means a person who meets the requirements of the advanced first aid ambulance attendant program and is certified by the department.
2. "Ambulance driver" means an individual who operates an ambulance vehicle.
3. "Ambulance run" means the response of an ambulance vehicle and personnel to an emergency or nonemergency for the purpose of rendering medical care or transportation or both to someone sick or incapacitated.

4. "Cardiopulmonary resuscitation" means the American heart association health care provider standards or its equivalent which includes the following skills: adult one and two person cardiopulmonary resuscitation, adult obstructed airway, child one and two person cardiopulmonary resuscitation, child obstructed airway, infant cardiopulmonary resuscitation, infant obstructed airway, and automated external defibrillator.
5. "Commission on accreditation of ambulance services" means the commission on accreditation of ambulance services located in Glenview, Illinois.
6. "Department" means the state department of health as defined in North Dakota Century Code chapter 23-01.
7. "Driver's license" means the license as required under North Dakota Century Code sections 39-06-01 and 39-06-02.
8. "Emergency medical technician" means a person who is certified as an emergency medical technician by the department.
9. "Emergency medical technician-basic" means a person who is certified as an emergency medical technician-basic by the national registry of emergency medical technicians and licensed by the department.
10. "Emergency medical technician-paramedic" means a person who is certified as an emergency medical technician-paramedic by the national registry of emergency medical technicians and licensed by the department.
11. "Equivalent" means training of equal or greater value which accomplishes the same results as determined by the department.
12. "Licensed health care facilities" means facilities licensed under North Dakota Century Code chapter 23-16.
13. "Nonemergency health transportation" means health care transportation provided on a scheduled basis by licensed health care facilities to their own patients or residents whose impaired health condition requires special transportation considerations, supervision, or handling but does not indicate a need for medical treatment during transit or emergency medical treatment upon arrival at the final destination.
14. "Paramedic with additional training" means evidence of successful completion of additional training and appropriate periodic skills verification in such topics as management of patients on ventilators, twelve lead electrocardiograms or other critical care monitoring devices, drug infusion pumps, and cardiac or other critical care medications,

or any other specialized procedures or devices determined at the discretion of the paramedics medical director.

15. "Personnel" means qualified primary care providers, or drivers, or both, within an ambulance service.
16. "Primary care provider" means a qualified individual responsible for the care of the patient while on the ambulance run.
17. "Scheduled basic life support transfer" means transfers provided on a scheduled basis by an advanced life support service to patients who need no advanced life support procedures en route.
18. "Separate location" means each operation that is headquartered from a separate location.
19. "Specialty care transport" means interfacility transportation, including transfers from a hospital to an aeromedical intercept site, of a critically injured or ill patient by a ground ambulance vehicle, including medically necessary supplies and services, at a level of service beyond the scope of the emergency medical technician-paramedic.
20. "State health council" means the council as defined in North Dakota Century Code title 23.

**History:** Effective September 25, 1979; amended effective March 1, 1985; January 1, 1986; June 1, 1991; August 1, 1994; August 1, 2003; January 1, 2006.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

### **33-11-01-02. License required - Fees.**

1. No ground ambulance services, as defined in North Dakota Century Code chapter 23-27, shall be advertised or offered to the public or any person unless the operator of such service is licensed by the department.
2. The license shall expire midnight on October thirty-first of the year following issuance. License renewal shall be on an annual basis.
3. A license is valid only for the service for which it is issued. A license may not be sold, assigned, or transferred.
4. The license shall be displayed in a conspicuous place inside the patient compartment of the ambulance vehicle. An operator operating more than one ambulance unit out of a town, city, or municipality will be issued duplicate licenses for each unit at no additional charge.

5. The annual license fee, including special licenses, shall be twenty-five dollars for each ground ambulance service operated.
6. Nonemergency health transportation services may not be required to obtain a license under North Dakota Century Code chapter 23-27 as long as they do not advertise or offer services to the general public.

**History:** Effective September 25, 1979; amended effective January 1, 1986; June 1, 1991; August 1, 2003.

**General Authority:** NDCC 23-27-01

**Law Implemented:** NDCC 23-27-01

### **33-11-01-03. Application for license.**

1. Application for the license shall be made in the manner prescribed by the department.
2. The application must be for either basic life support ambulance service as defined in chapter 33-11-02, or for advanced life support ambulance service as defined in chapter 33-11-03.
3. Operators operating more than one ambulance service from separate locations must apply for a license and pay an annual license fee for each location. However, an operation with a single headquarters site may dispatch vehicles and personnel from more than one location if calls requesting services are received and orders for vehicle dispatch are made at the single headquarters site.

**History:** Effective September 25, 1979; amended effective March 1, 1985; August 1, 2003.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

### **33-11-01-04. Issuance and renewal of licenses.**

1. The department or its authorized agent may inspect the service. If minimum standards, for either basic life support ground ambulance services or advanced life support ground ambulance services, are met, the department shall issue a license.
2. A service may request that the department consider it in compliance with this chapter if it is fully accredited by the commission on accreditation of ambulance services or its equivalent.
3. Services requesting their compliance with this chapter to be verified through an accrediting agency shall submit to the department a copy of the entire accrediting agency survey report. Subsequent accreditation or revisit documentation must be submitted prior to license renewal.

4. If minimum standards, for either basic life support ambulance services or advanced life support ambulance services, are not met, the department will allow the ambulance service thirty days to comply with the standards. The department will work with the ambulance service to obtain compliance.

**History:** Effective September 25, 1979; amended effective March 1, 1985; August 1, 2003; January 1, 2006.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

#### **33-11-01-05. Special licenses and waivers.**

1. An operator of a ground ambulance service intended for industrial site use may be issued a special license by the department.
2. Based on each individual case, the department may waive any provisions of this chapter.
3. The waiver provision shall only be used for a specific period in specific instances provided such a waiver does not adversely affect the health and safety of the person transported, and then only if a nonwaiver would result in unreasonable hardship upon the ambulance service.

**History:** Effective September 25, 1979; amended effective March 1, 1985; August 1, 2003.

**General Authority:** NDCC 23-27-01

**Law Implemented:** NDCC 23-27-01

**33-11-01-06. Availability of ground ambulance service.** The ambulance service shall be available twenty-four hours per day and seven days per week, except as exempted through waiver by the department.

**History:** Effective September 25, 1979; amended effective August 1, 2003.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

**33-11-01-07. Driver's license required.** All drivers of ambulance service vehicles shall have a current valid driver's license pursuant to requirements under North Dakota Century Code sections 39-06-01 and 39-06-02.

**History:** Effective September 25, 1979; amended effective August 1, 2003.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

**33-11-01-08. Number of personnel required.** The minimum personnel required on each ambulance run shall be one driver and one primary care provider.

**History:** Effective September 25, 1979; amended effective March 1, 1985; August 1, 2003.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

**33-11-01-09. Other requirements.**

1. Personnel must be able to identify and locate all equipment items required to be carried in an ambulance.
2. All licensed ambulance services shall keep the ambulance vehicle and other equipment clean and in proper working order.
3. All linens, airways, oxygen masks, nasal cannulas, and other equipment coming in direct contact with the patient must be either a single-use disposable type or cleaned, laundered, or disinfected after each use.
4. When a vehicle has been utilized to transport a patient known to have a communicable disease other than a common cold, the vehicle and all exposed equipment shall be disinfected before the transport of another patient.
5. Each ambulance run must be reported to the department in the manner and in the form determined by the department.
6. All ambulance services must give the receiving licensed health care facility a copy of the run report.
7. All equipment must be stowed in cabinets or securely fastened when not in use.
8. All ambulance services must submit a trauma transport plan to the department.

**History:** Effective September 25, 1979; amended effective March 1, 1985; February 1, 1989; August 1, 2003; August 1, 2004.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

**33-11-01-10. Out-of-state operators.**

1. Operators licensed in another state may pick up patients within this state for transportation to locations within this state under the following circumstances:

- a. When there is a natural disaster, such as a tornado, earthquake, or other disaster which may require all available ambulances to transport the injured; or
  - b. When an out-of-state ambulance is traveling through the state for whatever purpose comes upon an accident where immediate emergency ambulance services are necessary.
2. Out-of-state ambulance services who expect to pick up patients from within this state and transport to locations within this state must meet the North Dakota state standards and become licensed under North Dakota Century Code chapter 23-27 and this chapter.

**History:** Effective September 25, 1979; amended effective March 1, 1985; January 1, 2006.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

**33-11-01-11. Minimum equipment requirements.** Redesignated as section 33-11-02-03, effective March 1, 1985.

**33-11-01-12. Other requirements.** Repealed effective March 1, 1985.

**33-11-01-13. Out-of-state operators.** Repealed effective March 1, 1985.

**33-11-01-14. Specialty care transport.**

1. Specialty care transport is necessary when a patient's condition requires ongoing care that must be provided by one or more health care professionals in an appropriate specialty area, for example, nursing, emergency medicine, respiratory care, cardiovascular care, or paramedic with additional training.
2. Qualifying interventions for specialty care transports are patients with:
  - a. One of the following:
    - (1) Intravenous infusions;
    - (2) Vasopressors;
    - (3) Vasoactive compounds;
    - (4) Antiarrhythmics;
    - (5) Fibrinolytics;
    - (6) Paralytics; or

- (7) Any other pharmaceutical unique to the patient's special health care needs; and
- b. One or more of the following special monitors or procedures:
  - (1) Mechanical ventilation;
  - (2) Multiple monitors;
  - (3) Infusion pumps;
  - (4) Cardiac balloon pump;
  - (5) External cardiac support such as a ventricular assist device;
  - (6) Rapid sequence intubation;
  - (7) Surgical airways; or
  - (8) Any other specialized devices or procedures unique to the patient's health care needs.
- 3. Minimum required staffing shall be one emergency care technician or its equivalent and at least one of the following: physician, physician assistant, nurse practitioner, registered nurse with special knowledge of the patient's needs, paramedic with additional training, respiratory therapist, or any licensed health care professional designated by the transferring physician.

**History:** Effective August 1, 2003.

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04

**33-11-01-15. Ground ambulance service vehicle requirements.**

- 1. All ground ambulances must have a vehicle manufactured to be an ambulance.
- 2. All ground ambulance service vehicles must be equipped with a siren and flashing lights as described for class A emergency vehicles in subsection 2 of North Dakota Century Code section 39-10-03.

**History:** Effective January 1, 2006

**General Authority:** NDCC 23-27-04

**Law Implemented:** NDCC 23-27-04